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10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF CALIFORNIA**
12 **SACRAMENTO DIVISION**

13 PATRICK LEO MOTEN,)	CIVIL NO. 2:24-cv-00424-CKD
14 Plaintiff,)	
15 v.)	STIPULATION TO VOLUNTARY
16 MARTIN J. O'MALLEY,)	REMAND PURSUANT TO SENTENCE
COMMISSIONER OF SOCIAL SECURITY,)	FOUR OF 42 U.S.C. § 405(g) AND TO
17 Defendant.)	ENTRY OF JUDGMENT; ORDER
)	
)	
)	

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20 IT IS STIPULATED by and between Plaintiff ("Plaintiff") and Defendant Martin
21 O'Malley, Commissioner of Social Security ("Defendant"), through their undersigned counsel
22 of record, that the above-entitled action shall be remanded to the Commissioner of Social
23 Security for further administrative proceedings.

24 Upon remand, the Appeals Council will remand the case to an Administrative Law
25 Judge (ALJ) for a new decision, and instruct the ALJ to re-evaluate the evidence of record. The
26 parties further request that the Court direct the Clerk of the Court to enter a final judgment in
27 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.
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1 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the
2 Social Security Act, 42 U.S.C. 405(g).

3
4 Dated: June 7, 2024

/s/ Francesco Benevides*

FRANCESCO P. BENAVIDES

Attorney for Plaintiff

*Authorized via e-mail on May 31, 2024

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10 By: /s/ Gabriel Bono

GABRIEL BONO

Special Assistant United States Attorney

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17 **ORDER**

18 Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of
19 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown,
20 **IT IS ORDERED** that the above-captioned action is remanded to the Commissioner of Social
21 Security for further proceedings pursuant to the fourth sentence of Section 205(g) of the Social
22 Security Act, 42 U.S.C. 405(g).

23
24 Dated: June 10, 2024



CAROLYN K. DELANEY

UNITED STATES MAGISTRATE JUDGE